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UNITED STATES DISTRICT COURT

IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

EKA NINUA, on behalf of herself and others similarly situated,)	Case No. CV 09 4045 JSW
)	
Plaintiffs,)	STIPULATION AND PROPOSED
)	ORDER TO CONTINUE DEADLINE FOR
v.)	FILING MOTION FOR CLASS
)	CERTIFICATION
REGIS CORPORATION; and DOES 1 to 50, inclusive,)	
)	Filing Date: July 13, 2009
Defendants.)	Trial Date: March 7, 2011
)	

TO THE HONORABLE COURT:

Plaintiff Eka Ninua ("Plaintiff") and Defendant Regis Corporation ("Defendant")
(collectively the "Parties") and hereby stipulate and seek an order of the Court to continue the
deadline for Plaintiff to file her motion for class certification in this case, as follows:

1 1. Per the Court's June 4, 2010 Order, the deadline for Plaintiff to file a Motion for
2 Class Certification is currently September 30, 2010.

3 2. On August 3, 2010, Plaintiff filed a letter brief asking the Court to compel
4 production of a single category of documents ("the Motion to Compel"). Plaintiff filed the
5 Motion to Compel after engaging in a three week long effort to meet and confer to resolve the
6 issues raised therein.

7 3. On August 5, 2010, the parties received notice from the court that the discovery
8 dispute would be referred to a magistrate judge for handling. On August 10, 2010, the parties
9 received notice that the matter had been referred to magistrate Judge Edward Chen and the
10 matter was scheduled for hearing on September 22, 2010.

11 4. Plaintiff contends that the documents sought by her Motion to Compel are
12 necessary for Plaintiff to prepare a meaningful and fully informed brief in support of Class
13 Certification. Without expressing any position as to the merits of the Motion, in the event it is
14 granted, it is doubtful that Plaintiff will receive the responsive documents in sufficient time to
15 analyze them and incorporate the information into her Motion for Class Certification, which is
16 currently due to be filed on September 30, 2010.

17 5. The parties are scheduled to conduct a mediation on October 28, 2010. Due to the
18 mediator's schedule, an earlier date could not be secured. An extension of the class certification
19 filing deadline to November will avoid an unnecessary motion if the case settles at mediation.

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1
2 WHEREFORE, it is hereby stipulated by and between the parties that the deadline
3 Plaintiff to file a Motion for Class Certification in this matter be continued from September 30,
4 2010 to November 19, 2010, or such other later date as the Court should determine.

5 Respectfully submitted,

6
7 Date: August 17, 2010

KINGSLEY & KINGSLEY, APC
THE LINDE LAW FIRM

8
9 BY 

Eric B. Kingsley
Darren M. Cohen
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Attorneys for Plaintiff EKA NINUA

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12
13 Date: August 17, 2010

SEYFARTH SHAW LLP

14
15 BY 

Catherine M. Dacre

Attorneys for Defendant REGIS CORPORATION

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17
18 **PROPOSED ORDER**

19
20 Good cause appearing therefore, as set forth in the above stipulation, the court-ordered
21 deadline for Plaintiff to file her Motion for Class Certification is hereby extended to November
22 19, 2010.

23
24 **IT IS SO ORDERED.**

25
26 DATED: August 23, 2010

27 
HON. JEFFREY S. WHITE
UNITED STATES DISTRICT COURT JUDGE